

GAHC010087312024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : I.A.(Crl.)/430/2024

RAMJAN ALI
S/O LATE ANFAR ALI,
VILL.- DEWAN 8 NO. BASTI, P.S.- LAKHIPUR, DIST.- CACHAR, ASSAM, PIN-
788102.

VERSUS

THE STATE OF ASSAM AND ANR.
REP. BY THE P.P., ASSAM.

2:SABEJAN BIBI
S/O LATE AMIR ALI

VILL.- DEWAN 8 NO. BASTI
P.S.- LAKHIPUR
DIST.- CACHAR
ASSAM
PIN- 788102

Advocate for the Petitioner : MR J DAS (LEGAL AID COUNSEL)

Advocate for the Respondent : PP, ASSAM

Linked Case :

RAMJAN ALI

VERSUS

THE STATE OF ASSAM AND ANR G

Advocate for : MR J DAS

Advocate for : appearing for THE STATE OF ASSAM AND ANR G

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 13/05/2024

Suman Shyam, J

Heard Mr. J. Das, learned Legal Aid Counsel, appearing for the applicant.

This IA has been filed under section 5 of the Limitation Act, 1963, with a prayer to condone the delay of 72 days in preferring the jail appeal.

We have perused the explanation furnished by the applicant for the delay in filing the appeal.

Ms. S.H. Bora, learned APP, Assam, submits that she has no instruction to file any objection opposing the prayer made in the IA.

Considering the fact that the applicant has a statutory remedy in the form of an appeal to be preferred against the judgement and order of conviction and in view of the explanation furnished in the IA, we are convinced that this is a fit case where the delay of 72 days in filing the connected appeal deserves to be condoned.

Ordered accordingly.

Office to register the connected appeal and list the matter for admission.

IA stands disposed of.

JUDGE

JUDGE

sukhamay

Comparing Assistant